IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 18884 of 2007(W)

PETITIONER:

RADHARAMANAN, S/O. M.KUNJURAMAN,
AGED 50 YEARS, K.R.NIVAS, PERUNGATEEMUKKU ,
HOUSE NO.75, KADAKKAVOOR P.O., CHIRAYINKEEZHU,
TRIVANDRUM.

BY ADV. SRI.T.K.ANANDA PADMANABHAN

RESPONDENTS:
----

1. **THE SECRETARY, KADAKKAVOOR GRAMA PANCHAYATH , KADAKKAVOOR, TRIVANDRUM.**

2. **ENVIORNMENTAL ENGINEER, KERALA STATE POLLUTION CONTRL BOARD, DISTRICT OFFICE, PETTAH P.O., TRILVANDRUM-24.**

3. **MOHANDAS, KOCHUVETTOM VEEDU, KADAKKAVOOR TRIVANDRUM.**

BY ADV. SRI.M.K.CHANDRA MOHANDAS,SC,POLL.C.BOAR
SRI.SUBHASH CYRIAC
SRI.M.BALAGOVINDAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/09/2007, ALONG WITH WPC NO. 24751 OF 2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

tss

WP(C) NO.18884/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE LICENCE ISSUED BY THE 1ST RESPONDENT TO THE 3RD RESPONDENT FOR THE PERIOD 06-07.

EXT.P2:- COPY OF THE MEDICAL CERTIFICATE.

EXT.P3:- COPY OF THE ORDER DT. 28.4.07 OF THE HONOURABLE OMBUDSMAN.

EXT.P4:- COPY OF THE ORDER OF THE 2ND RESPONDENT.

EXT.P5:- COPY OF THE CONSENT RECEIVED BY THE PETITIONER UNDER THE RIGHT TO INFORMATION ACT.

EXT.P6:- COPY OF THE PHOTOGRAPHS.

EXT.R2(1):- COPY OF THE INSTRUCTION DT. 23.12.06

EXT.R2(2):- COPY OF THE CONSENT TO OPERATE ISSUED TO THE UNIT WITH CERTAIN CONDITIONS ON 21.3.07.

EXT.R3(a):- COPY OF THE SSI REGISTRATION CERTIFICATE OF THE 3RD RESPONDENT'S UNIT.

EXT.R3(b):- COPY OF THE CERTIFICATE DT. 1.6.07 OF THE 2ND RESPONDENT.

EXT.PR3(c):- COPY OF THE ANALYSIS REPORT OF THE 3RD RESPONDENT'S UNIT BY THE 2ND RESPONDENT.

/TRUE COPY/

P.A. TO JUDGE

tss

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 18884 & 24751 of 2007

Dated this 18th day of September , 2007

JUDGMENT

I do not propose to go into the merit of the various grounds raised in these writ petitions. The application for renewal of licence submitted by the 3rd respondent in W.P.(C) 18884/2007 (Petitioner in W.P.(C) 24751/2007) is pending before the first respondent Panchayat. The first respondent will take a decision on that application only after hearing the petitioner and the 3rd respondent. It is open the petitioners in both the writ petitions to raise all their claims and contentions before the first respondent at the time of consideration of the license renewal application. Order will be passed on the licence renewal application submitted by the 3rd respondent in W.P.(C) 18884/2007 (the petitioner in WP(C) No.24751/2007) after hearing at the earliest and at any rate within six weeks of receiving a copy of this judgment. The parties will be informed of the decision to be taken by the Panchayat. The petitioners will make available a copy of this judgment before the respondent Panchayat.

The writ petition is disposed of as above.

PIUS C. KURIAKOSE,

JUDGE.

Dpk